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Daphne's Greek Cafe, a California corporation  
Debtor and Debtor-in-Possession

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF CALIFORNIA

In re:  
  
FILI ENTERPRISES, INC., d/b/a Daphne's  
Greek Cafe, a California corporation,  
  
Debtor.

CASE NO. 10-bk-00324-PB

Chapter 11

**NOTICE OF CONTINUED HEARING RE  
MOTION BY DEBTOR FOR ENTRY OF  
FINAL ORDER PURSUANT TO  
SECTIONS 105, 361, 362, 364(c) AND 364(d)  
(A) AUTHORIZING THE DEBTOR TO  
INCUR POSTPETITION FINANCING ON  
A SECURED BASIS, (B) GRANTING  
ADEQUATE PROTECTION, AND (C)  
MODIFYING THE AUTOMATIC STAY**

Continued Hearing

Date: March 9, 2010

Time: 4:00 p.m.

Place: Dept. 4, Room 328

Judge: The Hon. Peter W. Bowie

**TO THE HONORABLE PETER W. BOWIE, UNITED STATES BANKRUPTCY JUDGE;  
THE UNITED STATES TRUSTEE; SECURED CREDITORS AND THEIR COUNSEL  
OF RECORD; THE OFFICIAL COMMITTEE OF CREDITORS HOLDING  
UNSECURED CLAIMS; AND THOSE PARTIES REQUESTING SPECIAL NOTICE:**

**PLEASE TAKE NOTICE** that the hearing on Debtor's Motion for Entry of Final Order

Pursuant to Sections 105, 361, 362, 364(c) and 364(d) (A) Authorizing the Debtor to Incur

Postpetition Financing on a Secured Bases, (B) Granting Adequate Protection, and (C) Modifying

1 the Automatic Stay (the "Motion") has been continued to **March 9, 2010** at **4:00 p.m.**, before the  
2 Honorable Peter W. Bowie, United States Bankruptcy Judge, in Courtroom 328, located in The  
3 Jacob Weinberger U.S. Courthouse, 325 West F Street, San Diego, California 92101.

4 **PLEASE TAKE FURTHER NOTICE** that responses, if any, to the Motion must be in  
5 writing and filed with the Bankruptcy Court and served upon counsel for the Debtor at the  
6 address set forth in the upper left-hand corner of the first page of this notice (with a courtesy copy  
7 to chambers) by not later than **February 25, 2010**. Any reply to any opposition to the Motion  
8 must be filed with the Court (with a courtesy copy to chambers) and served upon any party filing  
9 such opposition by not later than **March 4, 2010**. Failure to timely file and serve an opposition to  
10 the Motion may be deemed by the Court to be consent to the granting of the relief requested in the  
11 Motion.  
12

13  
14  
15 Dated: February 4, 2010

DLA PIPER LLP (US)

16 By: /s/ Brendan P. Collins

BRENDAN P. COLLINS

17 [Proposed] Attorneys for Fili Enterprises, Inc.,  
18 d/b/a Daphne's Greek Cafe, a California  
19 corporation Debtor and Debtor-in-Possession  
20  
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**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is DLA Piper LLP (US), 550 South Hope Street, Suite 2300, Los Angeles, California 90071-2678. On February 4, 2010, I served the within documents:

**NOTICE OF CONTINUED HEARING RE MOTION BY DEBTOR FOR ENTRY OF FINAL ORDER PURSUANT TO SECTIONS 105, 361, 362, 364(c) AND 364(d) (A) AUTHORIZING THE DEBTOR TO INCUR POSTPETITION FINANCING ON A SECURED BASIS, (B) GRANTING ADEQUATE PROTECTION, AND (C) MODIFYING THE AUTOMATIC STAY**

☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

☒ **TO BE SERVED BY U.S. MAIL:** by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below.

☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

☐ **TO BE SERVED OVERNIGHT DELIVERY**  
I deposited in a box or other facility regularly maintained by Federal Express, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, true and correct copies of the foregoing documents in a sealed envelope or package designated by the express service carrier, addressed as set forth on the attached mailing list, with fees for overnight delivery paid or provided for:

See attached service list.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare that I am employed in the office of a member of the Bar of or permitted to practice before this Court at whose direction the service was made.

Executed on February 4, 2010, at Los Angeles, California.

/s/ Bambi Clark  
Bambi Clark

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